

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

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|---------------------------|---|--------------------------------|
| JERARDO GONZALEZ PEREZ, | : | |
| Petitioner, | : | |
| vs. | : | CIVIL ACTION NO. 11-0585-KD-C |
| UNITED STATES OF AMERICA, | : | CRIMINAL ACTION NO. 10-0032-KD |
| Respondent. | | |

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated January 28, 2013 is **ADOPTED** as the opinion of this Court.

Accordingly, Jerardo Gonzalez Perez' request to vacate, set aside or correct his sentence (Doc. 422; *see also* Doc. 425) is **DENIED**. Perez is not entitled to a certificate of appealability and, therefore, he is not entitled to appeal *in forma pauperis*.

DONE this 1st day of March, 2013.

s/ Kristi K. DuBose

KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE